

CALIFORNIA COASTAL COMMISSION

NORTH CENTRAL COAST DISTRICT
455 MARKET STREET, SUITE 300
SAN FRANCISCO, CA 94105
PHONE: (415) 904-5260
FAX: (415) 904-5400
WEB: WWW.COASTAL.CA.GOV



December 11, 2023

County of Sonoma
Planning Division
Attn: Claudette Diaz, Planner III
2550 Ventura Avenue
Santa Rosa, CA 95403

Subject: ***LCP-2-SON-23-0058-2 – Comprehensive Land Use Plan (LUP) LCP
Amendment***

Dear Ms. Diaz,

Thank you for the materials submitted regarding the above-referenced LCP Amendment application for the County's comprehensive update to its Local Coastal Program Land Use Plan. We received the hard copy of the application at the Coastal Commission's North Central Coast District Office on November 27, 2023. Please note that this amendment has been given the Commission tracking number of LCP-2-SON-23-0058-2. The proposal seeks to replace in full the existing Land Use Plan component of Sonoma County's LCP.

The Coastal Act and the Commission's regulations require that proposed LCP amendments packages include "materials sufficient for a thorough and complete review" (Coastal Act Section 30510(b), California Code of Regulations (CCR) Sections 13519, 13520, 13552 and 13553) before an amendment submittal can be deemed submitted (also referred to as filed). Commission staff have reviewed the materials submitted to date and have determined that we need additional information to adequately analyze the proposed project for Coastal Act conformance. To this end, we are unable to file this application as complete until the following has been submitted:

- 1. Word Version of Draft LUP Update.** Thank you for providing the PDF version of the LCP submittal - however, the digital submittal did not include a Word document version of the actual LCP update as approved by the Board of Supervisors on July 17, 2023, including all chapters, maps, and appendices. Please provide us with a Word version that allows us to work within the document to provide potential edits, feedback, and suggestions (per California Code of Regulations (CCR) Section 13511).
- 2. Relationship to Existing Implementation Plan.** Based on the submittal, there is a lack of clarity regarding the relationship between the proposed Land Use Plan (LUP) and the existing Implementation Plan (IP). The County has made it clear that they intend to pursue an IP update following the certification of the proposed LUP update. However, it is not clear what the relationship between the

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proposed LUP and the existing IP will be for the interim period after LUP certification but before the IP can be updated. In other words, the County should clarify how it will resolve situations in which there may be a policy inconsistency between the proposed LUP and the existing IP, as well as a discussion of the proposed LUP amendment's relationship to and effect on the current IP.

3. **Incomplete Responses to CCC Comments.** The document "CCC_LCP Comments Matrix" enclosed in the LUP Update submittal package includes only a small fraction of the policy justifications requested by Commission staff in our staff-to-staff coordination as the update was being drafted and reviewed locally. Given that, enclosed with this letter is the most recent such Commission staff request entitled "Inline Comments 11.10.2022", which has detailed, line-by-line comments regarding the whole LUP update which had not been responded to by the County prior to that letter, either through modifications to the Update text or through written justifications for retaining the proposed language. Please provide a response for each CCC comment by policy number, identifying each instance where comments were fully addressed and how, as well as each instance where CCC comments were not fully incorporated into the final proposed LUP and why. Please provide this in a format similar or identical to the already submitted CCC_LCP Comment Matrix.

4. **Suggested Modifications.** Commission staff's letter to Claudette Diaz - titled "SonomaLUPUpdate_CommentLetter2023.05.31" (sent May 31, 2023) - listed several substantive concerns regarding Coastal Act conformance which have not yet been adequately addressed, including:
 - LUP land use designations and corresponding allowable uses;
 - ensuring LUP language and definitions properly reflect Coastal Act policy language and definitions;
 - agricultural land conversion and agricultural worker housing policy concerns;
 - habitat protection and restoration policies;
 - public access as a resource-dependent use;
 - protection of water resources;
 - coastal hazards and coastal hazards response;
 - proposed transit and bike facility policies;
 - prioritized status for public facilities and services;
 - and tribal and archaeological resource policies.

Our hope is to continue to collaborate with Sonoma County staff as we strive to resolve these differences in a Coastal Act-consistent way, and as such we will likely need to schedule working sessions with the relevant Permit Sonoma staff in

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order to work together to address these outstanding issues, in preparation for a staff recommendation on the Update for a Commission hearing.

We will hold your application for six months from today's date (i.e., until June 11, 2024) pending receipt of these materials. This submittal deadline may be extended for good cause if such request is made prior to June 11, 2024. After all of the above-listed materials have been received, your application will again be reviewed and will be filed if all is in order (Government Code Section 65943(a)). Please submit all the requested materials at the same time, and please submit all materials both in hard copy and electronically. Please note that there may be additional materials necessary for filing purposes depending upon the nature of the information provided pursuant to the above-listed materials. If all the above-listed materials are not received within six months, LCP Amendment number LCP-2-SON-23-0058-2 will be considered withdrawn.

If you have any questions regarding your application, please feel free to contact me at Luke.henningsen@coastal.ca.gov.

Sincerely,



Luke Henningsen
Coastal Planner, North Central Coast District
California Coastal Commission

Encl: Commission staff letter sent on May 31, 2023
Commission staff in-line edits letter sent on November 10, 2022

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May 31, 2023

Claudette Diaz, Planner
Sonoma County Permit and Resource Management Department Planning Division
2550 Ventura Avenue
Santa Rosa, CA 95403

Subject: Sonoma County Board of Supervisors' Hearing on the County's Draft Local Coastal Program Land Use Plan Update on July 17, 2023

Dear Ms. Diaz:

Thank you for the opportunity to review and comment on Sonoma County's proposed update to the Local Coastal Program (LCP) Land Use Plan (LUP). As you know, the LUP is a critical County blueprint for the County's irreplaceable coastal areas, and thus it is equally critical that the LUP update is well-thought, comprehensive, and mindful of the coastal resource values it is designed to protect and preserve. Toward that end, we very much commend County staff and decisionmakers for all of the obvious thought and hard work that went into developing the current draft update, and very much thank you for the obvious effort that was made to respond to many of our prior comments in this draft. To that point we note that we have worked collaboratively with County staff on the update over the years, including providing written comments at multiple recent junctures¹ that we don't intend to try to repeat here. Rather, the purpose of this letter is to summarize the key remaining issues areas from our perspective for the Board of Supervisors' consideration at the July 17, 2023 LUP update hearing.

While great progress has been made on the draft LUP update, we believe that there remain some outstanding issues, each of which deserve a little more work before the County finalizes the proposed update and sends it to the Coastal Commission for review. Specifically, we believe that clarifications, modifications, and additional detail are needed for:

- LUP land use designations and corresponding allowable uses

¹ As you are well aware, the LUP update has been an on and off and multi-decade effort. While we have collaborated over that entire time frame, including in terms of providing written suggestions to the County, we refer here to the most recent LUP update push that began in 2021, and our comments include general comments in a letter dated July 23, 2021, followed by more in depth comments on each element of the draft (including line-by-line suggested edits) in September 2021 and February 2022, our comment letter for the June 22, 2022 Planning Commission hearing, a follow-up comment letter following the release of the post-Planning Commission review draft (on September 23, 2022), and additional comments and suggested line-by-line edits in a November 10, 2022 letter. As you are aware, we have also had multiple meetings with County staff to discuss such comments over that same time frame, some of which is reflected in subsequent iterations of drafts and/or comments as well.

Sonoma County Draft LUP Update

- Ensuring LUP language/definitions properly reflect Coastal Act policy language and definitions
- Allowed agricultural land conversion, agricultural worker housing, and types of agricultural lands and associated terms
- Habitat protection and restoration, wetland identification and protection, and allowable uses in habitat/wetland areas/buffers
- Public access as a resource-dependent use (including as it relates to the referenced “Public Access Plan”)
- Protection of water resources, including siting and design requirements for development pertaining to water supply and wastewater infrastructure
- Coastal hazards and coastal hazards response (including additional detail and clarification/modification relating to best available science and sea level rise scenarios, redevelopment, slope stability analysis, and shoreline armoring allowances and limitations)
- Proposed transit and bike facility policies
- Prioritized status for public facilities and services
- Tribal and archaeological resource policies

Further detail on such issues and ways to address them can be found in our above-referenced written comments and suggested edits, and we would be happy to discuss any of these if that would be useful. That said, since it is our understanding that the Board will not be discussing such issues (but rather focusing on other items on July 17th),² we continue to recommend that County staff be directed to work with us on changes to address such issues, and that such changes subsequently be brought to the Board before any final adoption of the draft LUP update. While we recognize that this will require some additional time, we also believe that it provides a more streamlined path forward, including as it can help to narrow remaining issues in front of the Coastal Commission, and can help avoid a staff recommendation with numerous suggested modifications which, if adopted by the Commission, would still require the Board to deliberate on them anyways, adding additional time at the other end of this process. We strongly believe that it is much more efficient to resolve such issues now, before the Board takes final action, than it is to address them in the Commission’s process and after any Commission action on the update. We remain a willing partner to work together to address these issues and to work towards as much consensus as possible.


No matter what the Board chooses to do, we again commend County staff and decisionmakers for the time, effort, and resources invested into the difficult task of

² It is our understanding that the Board intends on July 17th to focus exclusively on agricultural fencing, support for the UC Davis Bodega Marine laboratory, expanded opportunities for new campgrounds, public access to the Estero Americano, fire fuel management, preservation of non-commercial forest and woodlands, on-shore facilities related to off-shore wind energy or seabed mining, reintroduction of sea otters, site-specific policies for visitor-serving development, and subdivision of agricultural lands.

Sonoma County Draft LUP Update

updating the LCP's LUP, and we look forward to further collaboration as described above. Please contact me or Julia Koppman Norton of my staff if you have any questions or would like to discuss these matters further.

Sincerely,

DocuSigned by:

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Stephanie Rexing
District Manager
North Central Coast District Office
California Coastal Commission